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Attorney Ref: 394A US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Rivera et al.

Serial No. : 09/733,368

Filed : December 8, 2000

For : *Methods for High Level Expression of Genes in Primates*

Art Unit: 1645

Examiner: ----

~~Assistant~~ Commissioner of Patents
Washington, DC 20231

June 26, 2002

Response to Notice to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures

Applicants submit a Sequence Listing for the above-identified application under 37 CFR 1.821 through 1.825 in response to a Notice to Comply mailed May 17, 2002. The deadline for responding to the notice is July 17, 2002 and thus this response should be deemed to be filed in a timely manner. Pursuant to the duty to submit DNA and amino acid sequence in computer readable form, this affirms that to the best of my knowledge and belief, the sequence listing information recorded in computer readable form is identical to the written sequence listing. Enclosed are the paper and CRF versions of the Sequence Listing and a copy of the Notice to Comply.

Please amend the specification to include the Sequence Listing after the detailed description and before the claims in the above-identified patent application. In accordance with 37 CFR §1.821(a), I hereby state that the sequences contained in this Sequence Listing are supported in the application as filed. The paper copy and the computer readable copy of the amended Sequence Listing contain no new matter.

No additional costs are believed to be due in connection with this amendment. However, should any such fees be due, charge any deficiency or credit any overpayment to our Deposit Account No. 01-2315. A duplicate copy of this letter is enclosed. If there are any questions about this request, the Examiner is invited to call the undersigned attorney at the number provided.

Respectfully submitted,

David L. Bernstein

David L. Bernstein, Reg No. 31,235
ARIAD Pharmaceuticals, Inc.
26 Landsdowne Street
Cambridge, MA 02139
Telephone: 617-494-0400 Ext. 266
Facsimile: 617-494-020

I hereby certify that this paper is being deposited with the United States Postal Service via First Class Mail under 37 CFR 1.08 on the date indicated above and is addressed to ~~Assistant~~ Commissioner for Patents, Washington, DC 20231
Date June 26, 2002

Signed

Sue Wilson

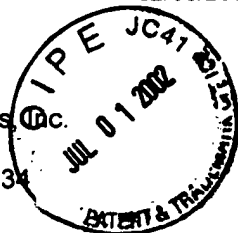
Sue Wilson

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 COMMISSIONER FOR PATENTS
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 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/733,368	12/08/2000	Victor Rivera	394A US

 David L. Bernstein
 ARIAD Gene Therapeutics, Inc.
 26 Landsdowne Street
 Cambridge, MA 02139-4234


CONFIRMATION NO. 1969

FORMALITIES LETTER



OC00000008148359

Date Mailed: 05/17/2002

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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PAGE: 1
06/26/2002

VERIFICATION SUMMARY REPORT

DATE:

PATENT APPLICATION

TIME:

10:45:19

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GENERAL INFORMATION SECTION

3,<110> ARIAD Gene Therapeutics, Inc.
5,<120> Methods of High Level Expression of Genes in
Primates
7,<130> 394A US
9,<140> 09/733,368
10,<141> 2000-12-08
12,<160> 14
14,<170> PatentIn version 3.0

ERRORED LINES SECTION

STATISTICS SUMMARY

Application Serial Number: 09/733,368A
Alpha or Numeric: Numeric
Application Class:
Application File Date: 2000-12-08
Art Unit:
Software Application: PatentIn
Total Number of Sequences: 14
Number of Errors: 0
Number of Warnings: 0
Number of Corrections: 0